

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

RIGGS TECHNOLOGY)	
HOLDINGS, LLC,)	
Plaintiff,)	
)	Civil Action No. 6:21-cv-00466
v.)	
)	
JOHN WILEY & SONS, INC.)	JURY TRIAL DEMANDED
Defendant.)	

**PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT
INFRINGEMENT**

Riggs Technology Holdings, LLC (“Riggs”) files this Original Complaint and demand for jury trial seeking relief from patent infringement of the claims of U.S. Patent No. 7,299,067 (“the ‘067 patent”) (referred to as the “Patent-in-Suit”) by John Wiley & Sons, Inc., (“Wiley”).

I. THE PARTIES

1. Plaintiff Riggs is a New Mexico Limited Liability Company with its principal place of business located in Bernalillo County, New Mexico.

2. On information and belief, Wiley is a corporation existing under the laws of the State of New York, with a principal place of business located at 510 N Valley Mills Drive, Suite 600, Waco, Texas 76710. On information and belief, Wiley sells and offers to sell products and services throughout Texas, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in Texas

and this judicial district. Wiley may be served through their registered agent C T Corporation System, 1999 Bryan St., Ste 900, Dallas, Texas 75201.

II. JURISDICTION AND VENUE

3. This Court has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff's claim arises under an Act of Congress relating to patents, namely, 35 U.S.C. § 271, et. seq.

4. This Court has personal jurisdiction over Defendant because: (i) Defendant is present within or has minimum contacts within the State of Texas and this judicial district; (ii) Defendant has purposefully availed itself of the privileges of conducting business in the State of Texas and in this judicial district; and (iii) Plaintiff's cause of action arises directly from Defendant's business contacts and other activities in the State of Texas and in this judicial district.

5. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b). Defendant has committed acts of infringement and has a regular and established place of business in this District. Further, venue is proper because Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in Texas and this District.

III. INFRINGEMENT

A. Infringement of the '067 Patent

6. On November 20, 2007, U.S. Patent No. 7,299,067 (“the ‘067 patent”, attached as Exhibit A) entitled “Methods and Systems for Managing the Provision of Training Provided Remotely Through Electronic Data Networks to Users of Remote Electronic Devices” was duly and legally issued by the U.S. Patent and Trademark Office. Riggs owns the ‘067 patent by assignment.

7. The ‘067 patent relates to a novel and improved methods and systems for providing and managing training remotely.

8. Wiley maintains, operates, and administers online and software based training platforms, products and services that facilitate remote training that infringes one or more claims of the ‘067 patent, including one or more of claims 1-18, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the ‘067 Patent into service (i.e., used them); but for Defendant’s actions, the claimed-inventions embodiments involving Defendant’s products and services would never have been put into service. Defendant’s acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant’s procurement of monetary and commercial benefit from it.

9. Support for the allegations of infringement may be found in the following preliminary table:

Claim 1	
[1.1] A method managing training completed remotely at a hand held device, said method comprising the steps of:	<p>To the extent the preamble is limiting, John Wiley & Sons performs and induces others to perform a method of managing training completed remotely at a hand held device.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, John Wiley & Sons provides Wiley Health Learning Platform using which a user takes and completes multiple online activities (“training”) remotely through a web browser on mobile devices including but not limited to phone, tablet and/or laptop (“handheld device”). John Wiley & Sons manages online activities taken by the user by tracking user’s activities, progress and maintaining a record of all the activities completed by the user.</p>

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PROFESSIONAL EDUCATION

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Benign Neoplasms, Mass-Like Infections and Pseudotumors that Mimic Hepatic Malignancy at MRI

April 2021 | Volume 53, Issue 4
Activity Type: Journal Based CME
Accreditation:
AMA PRA Category 1 Credit™
▶ View Details



Evaluation of Primary Liver Cancers Using Hepatocyte-specific Contrast-enhanced MRI: Pitfalls and Potential Tips

March 2021 | Volume 53, Issue 3
Activity Type: Journal Based CME
Accreditation:
AMA PRA Category 1 Credit™
▶ View Details



Imaging of the Pancreas

February 2021 | Volume 53, Issue 2
Activity Type: Journal Based CME
Accreditation:
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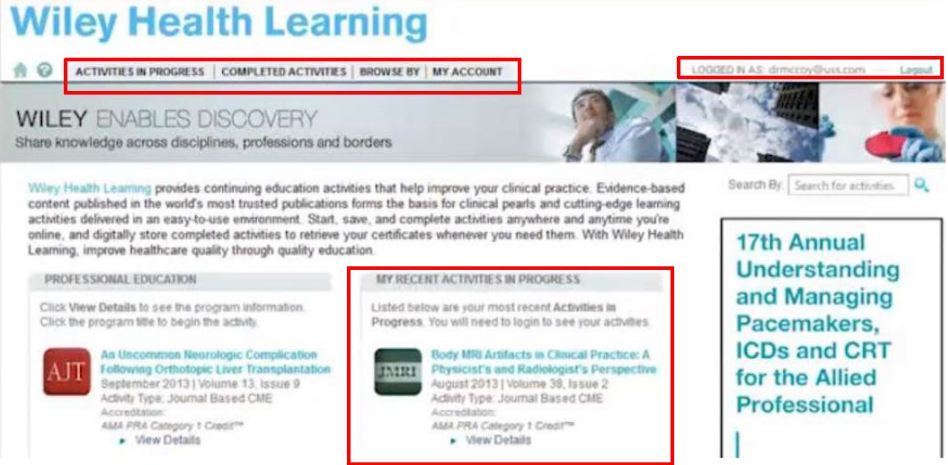
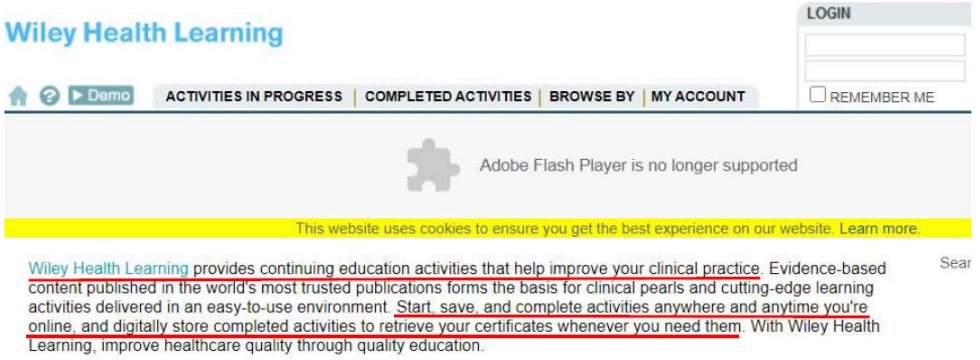
Click **View Details** to see the program information.
Click the program title to begin the activity.



Preventing Antibodies in Sickle Cell Disease with Stella Chou

June 2019
Activity Type: Internet Enduring Material
Accreditation:
AMA PRA Category 1 Credit™, ASCLS P.A.C.E. Program, Florida Clinical Laboratory Personnel CE Credits, ABPath MOC SAM
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	 <p>Source:</p> <p>http://link.brightcove.com/services/player/bcpid982198451001?bckey=AQ~~,AAAAkPubcZk~,5wRjVEP-2Sma1whESEDfKmqjWi9oghp&bctid=3420307328001, seek to 1:38</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[1.2] receiving at training server training data transmitted to training server through a data network from a user of a hand held device, the training data representing training taken by the user at hand held device;</p>	<p>John Wiley & Sons performs the step of receiving at a training server training data transmitted to the training server through a data network from a user of a hand held device, the training data representing training taken by the user at hand held device.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Wiley Health Learning Platform server ("training server") receives data including but not limited to the data of activities, podcasts, tests and responses related to the training ("training data") taken by the user on Wiley Health Learning Platform running over the internet on user's mobile device.</p>  <p>Source: https://www.wileyhealthlearning.com/default.aspx</p>

	<div data-bbox="422 199 906 751"> <p>PROFESSIONAL EDUCATION</p> <p>Click View Details to see the program information. Click the program title to begin the activity.</p> <div data-bbox="454 310 527 388"> </div> <p>Benign Neoplasms, Mass-Like Infections and Pseudotumors that Mimic Hepatic Malignancy at MRI April 2021 Volume 53, Issue 4 Activity Type: Journal Based CME Accreditation: AMA PRA Category 1 Credit™ ▶ View Details</p> <div data-bbox="454 478 527 556"> </div> <p>Evaluation of Primary Liver Cancers Using Hepatocyte-specific Contrast-enhanced MRI: Pitfalls and Potential Tips March 2021 Volume 53, Issue 3 Activity Type: Journal Based CME Accreditation: AMA PRA Category 1 Credit™ ▶ View Details</p> <div data-bbox="454 640 527 718"> </div> <p>Imaging of the Pancreas February 2021 Volume 53, Issue 2 Activity Type: Journal Based CME Accreditation: AMA PRA Category 1 Credit™ ▶ View Details</p> </div> <div data-bbox="925 199 1377 655"> <p>MY RECENT ACTIVITIES IN PROGRESS</p> <p>Listed below are your most recent Activities in Progress. You will need to login to see your activities.</p> <p><i>There are no activities currently listed.</i></p> <p>FEATURED ACTIVITIES</p> <p>Click View Details to see the program information. Click the program title to begin the activity.</p> <div data-bbox="950 472 1006 550"> </div> <p>Preventing Antibodies in Sickle Cell Disease with Stella Chou June 2019 Activity Type: Internet Enduring Material Accreditation: AMA PRA Category 1 Credit™, ASCLS P.A.C.E. Program, Florida Clinical Laboratory Personnel CE Credits, ABPath MOC SAM ▶ View Details</p> </div> <div data-bbox="422 823 1166 1018"> <p>Follow these steps to earn credit:</p> <ul style="list-style-type: none"> • Read the target audience, educational objectives, and activity disclosures. • Listen to the Podcast • Reflect on the activity contents. • Access the CME Exam, and choose the best answer to each question. • Complete the required evaluation component of the activity. • Claim your Certificate </div> <p>Source: https://www.wileyhealthlearning.com/default.aspx</p> <p>Source: https://www.wileyhealthlearning.com/Activity/6801180/disclaimerspoup.aspx</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
[1.3] receive identifying information for user of a hand held device concurrently with the training data file;	<p>John Wiley & Sons performs the step of receiving identifying information for the user of a hand held device concurrently with the training data file.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Wiley Health Learning Platform receives email and password ("identifying information") provided by the user to login to Wiley Health Learning Platform account along with data of activities, podcasts, tests and responses related to activities ("training data file") taken by the user.</p>

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Benign Neoplasms, Mass-Like Infections and Pseudotumors that Mimic Hepatic Malignancy at MRI

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June 2019
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- Read the target audience, educational objectives, and activity disclosures.
- Listen to the Podcast
- Reflect on the activity contents.
- Access the CME Exam, and choose the best answer to each question.
- Complete the required evaluation component of the activity.
- Claim your Certificate

Source: <https://www.wileyhealthlearning.com/Activity/6801180/disclaimerspoup.aspx>

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

[1.4] identifying the user of the hand held device;

John Wiley & Sons performs the step of identifying the user of the hand held device.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

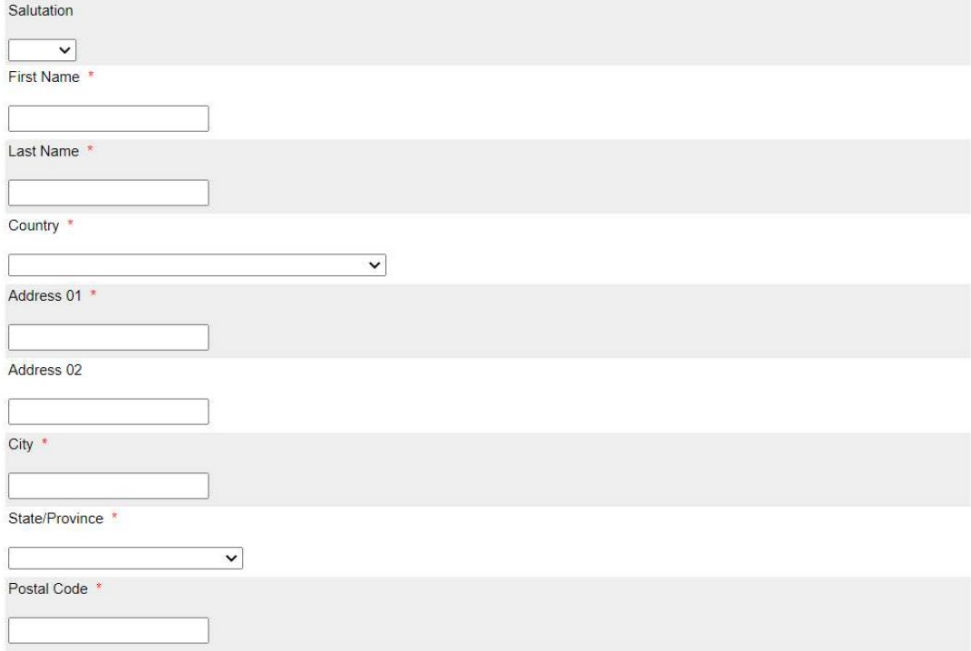
For example, Wiley Health Learning Platform identifies the user with the email and password provided by the user to login into their account.

Wiley Health Learning

Source: <https://www.wileyhealthlearning.com/login.aspx>

Source:

<http://link.brightcove.com/services/player/bcpid982198451001?bkey=AQ~~.AAAAkPubcZk~,5wRjVEP-2Sma1whESEDfKmqjWi9oghp&bctid=3420307328001>, seek to 1:38

	<p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[1.5] authenticating the identify of the user of the hand held device by requesting authentication data from the user and comparing the authentication data with a master user identification template containing authentication data associated with the user and accessible by the training server to determine if said comparison authenticates the user's identify as an authorized trainee;</p>	<p>John Wiley & Sons performs the step of authenticating the identify of the user of the hand held device by requesting authentication data from the user and comparing the authentication data with a master user identification template containing authentication data associated with the user and accessible by the training server to determine if said comparison authenticates the user's identify as an authorized trainee.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, a user creates an account on Wiley Health Learning Platform by providing information including but not limited to name, address, email, phone number, profession, specialty, professional designation, organisation name and password ("master user identification template") for the account. Wiley Health Learning Platform authenticates the user while logging in to access his account by comparing the email and password provided at the time of login ("authentication data") to the email and password provided at the time of registration ("master user identification template containing authentication data") and thus allowing access to only the authorized users.</p> 

Source: <https://www.wileyhealthlearning.com/registration.aspx>

Register

Please create a Password and add your own Security Question. The Security Question will be used to retrieve a forgotten password. Also, please indicate that you have read and agree to the terms of service below.

Username:* Password:* Confirm Password:*

The Security Question will be used to retrieve a forgotten password. Please select one of the questions from the drop down menu and provide your answer below.

Security Question:* Security Answer:*

Please indicate that you have read and agree to the terms of service below.

Terms of Service:*  WILEY EULA

END USER LICENSE AGREEMENT

BY ACCESSING OR USING THE WILEY HEALTH LEARNING WEBSITE (THE "WEBSITE"), YOU AGREE TO ALL OF THE FOLLOWING PROVISIONS AND ENTER INTO A LEGALLY BINDING AGREEMENT WITH WILEY (WHICH FOR PURPOSES OF THIS

☐ I Agree[Continue](#)Source: <https://www.wileyhealthlearning.com/registration.aspx>

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COMPLETED ACTIVITIES

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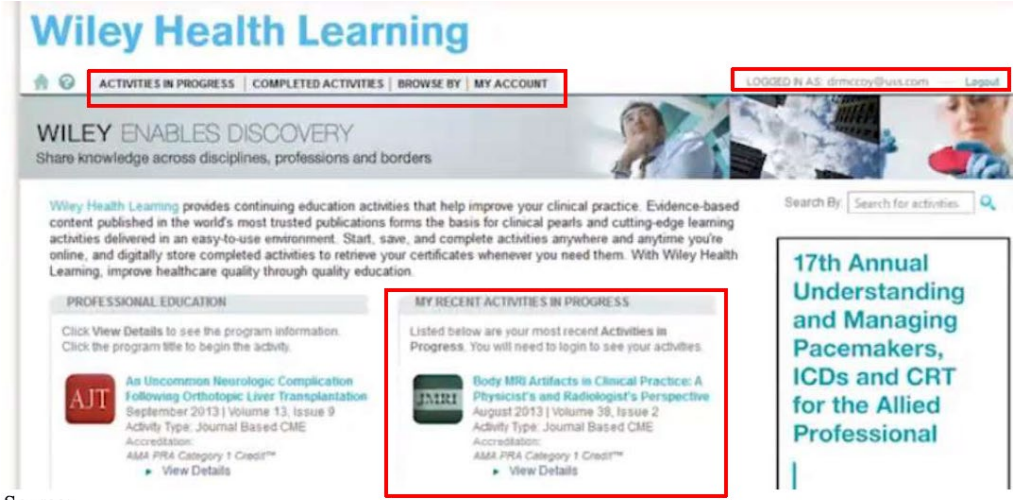
Login

Username Password ☐ Remember Me[Login](#)

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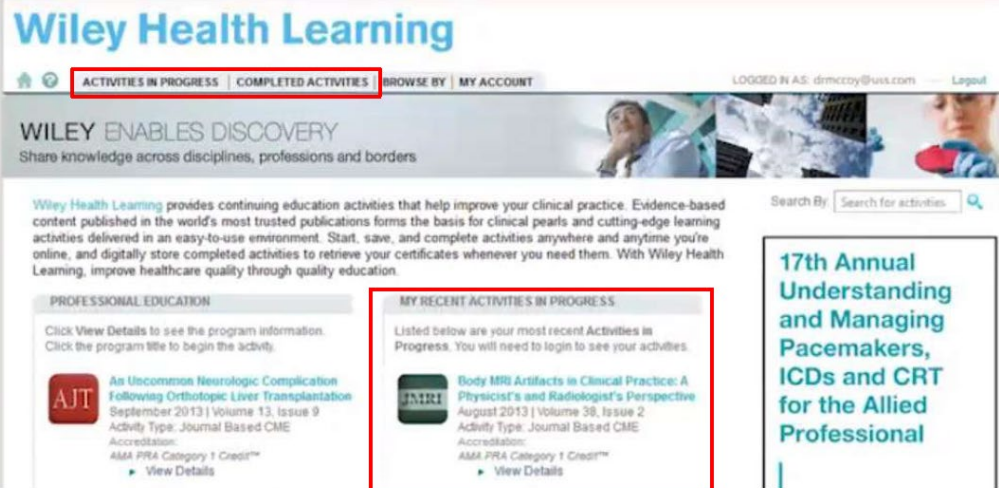
Source: <https://www.wileyhealthlearning.com/login.aspx>

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

<p>[1.6] recording the training data in memory associated with the training server;</p>	<p>John Wiley & Sons performs the step of recording the training data in memory associated with the training server.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Wiley Health Learning Platform server (“training server”) stores the training data including but not limited to data of activities, podcasts, test responses and progress data related to the training (“training data”) of a user in the memory associated with the server.</p> <p>Further, the user is able to see the activities in progress by clicking on the “Activities in Progress” tab.</p>  <p>Source: http://link.brightcove.com/services/player/bcpid982198451001?bkey=AQ~~,AAAAkPubcZk~,5wRjVEP-2Sma1whESEDfKmqjWi9oghp&bctid=3420307328001, seek to 1:38</p> <div style="border: 1px solid red; padding: 5px; margin: 10px 0;"> <p>Follow these steps to earn credit:</p> <ul style="list-style-type: none"> • Read the target audience, educational objectives, and activity disclosures. • Listen to the Podcast • Reflect on the activity contents. • Access the CME Exam, and choose the best answer to each question. • Complete the required evaluation component of the activity. • Claim your Certificate </div> <p>Source: https://www.wileyhealthlearning.com/Activity/6801180/disclaimerspopup.aspx</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[1.7] locating at least one training file contained within the training data;</p>	<p>John Wiley & Sons performs the step of locating at least one training file contained within the training data.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Wiley Health Learning Platform server stores the training data comprising training files including but not limited to data of activities, podcasts, test responses and progress data related to the training of a user in the memory associated with the server. When a user login to his account, Wiley Health Learning Platform locates and retrieves the corresponding training data comprising training files of the user.</p>

	<div data-bbox="414 199 922 772"> <h3>PROFESSIONAL EDUCATION</h3> <p>Click View Details to see the program information. Click the program title to begin the activity.</p> <div data-bbox="451 310 901 472">  <p>Benign Neoplasms, Mass-Like Infections and Pseudotumors that Mimic Hepatic Malignancy at MRI April 2021 Volume 53, Issue 4 Activity Type: Journal Based CME Accreditation: AMA PRA Category 1 Credit™ ▶ View Details</p> </div> <div data-bbox="451 483 901 644">  <p>Evaluation of Primary Liver Cancers Using Hepatocyte-specific Contrast-enhanced MRI: Pitfalls and Potential Tips March 2021 Volume 53, Issue 3 Activity Type: Journal Based CME Accreditation: AMA PRA Category 1 Credit™ ▶ View Details</p> </div> <div data-bbox="451 655 820 772">  <p>Imaging of the Pancreas February 2021 Volume 53, Issue 2 Activity Type: Journal Based CME Accreditation: AMA PRA Category 1 Credit™ ▶ View Details</p> </div> </div> <div data-bbox="941 199 1409 661"> <h3>MY RECENT ACTIVITIES IN PROGRESS</h3> <p>Listed below are your most recent Activities in Progress. You will need to login to see your activities.</p> <p><i>There are no activities currently listed.</i></p> <h3>FEATURED ACTIVITIES</h3> <p>Click View Details to see the program information. Click the program title to begin the activity.</p> <div data-bbox="971 478 1421 661">  <p>Preventing Antibodies in Sickle Cell Disease with Stella Chou June 2019 Activity Type: Internet Enduring Material Accreditation: AMA PRA Category 1 Credit™, ASCLS P.A.C.E. Program, Florida Clinical Laboratory Personnel CE Credits, ABPath MOC SAM ▶ View Details</p> </div> </div>
<p>[1.8] determining status of the training file by comparing the training file with an associated master training template accessible from memory by the training server, the status including a determination if</p>	<p>Source: https://www.wileyhealthlearning.com/default.aspx</p> <div data-bbox="414 892 1409 1270"> <div data-bbox="414 892 701 1144"> <h4>BROWSE BY ORGANIZATION</h4> <ul style="list-style-type: none"> American Academy of Addiction Psychiatry American Association for the Study of Liver Diseases American Association of Blood Banks American College of Nurse-Midwives American Society of Transplant Surgeons American Society of Transplantation British Association of Dermatologists International Society for Hemodialysis International Society of Magnetic Resonance in Medicine Society for Academic Emergency Medicine </div> <div data-bbox="763 892 1050 1270"> <h4>BROWSE BY PRACTICE INTEREST</h4> <ul style="list-style-type: none"> Allergy & Clinical Immunology Allied Health Anesthesiology Cardiovascular Disease Cellular & Molecular Medicine Dentistry Dermatology Emergency Medicine Endocrinology Evidence-Based Medicine Gastroenterology & Hepatology Geriatrics Hematology Hospital Medicine Infectious Disease & Microbiology Internal Medicine Midwifery Nephrology </div> <div data-bbox="1112 892 1409 1144"> <h4>BROWSE BY PUBLICATION</h4> <ul style="list-style-type: none"> Academic Emergency Medicine American Journal of Transplantation Clinical and Experimental Dermatology Clinical Liver Disease Continuing Cardiology Education Hemodialysis International Journal of Magnetic Resonance Imaging Journal of Midwifery and Women's Health Journal of Prosthodontics Transfusion Transfusion News </div> </div> <p>Source: https://www.wileyhealthlearning.com/browse.aspx</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Wiley Health Learning Platform server determines status of the training file by comparing the training file with an associated master training template accessible from memory by the training server such that it tracks user's activities, progress and maintains a record of all the activities completed or are in progress by the user and displays in the "Activities in Progress" and "Completed Activities" tab.</p>

training represented by the training file meets a set criterion including at least one of: pending, incomplete, failed, passed; and



Source:

<http://link.brightcove.com/services/player/bcpid982198451001?bckey=AQ~~,AAAKPubcZk~,5wRjVEP-2Sma1whESEDfKmqjWi9oghp&bctid=3420307328001>, seek to 1:38

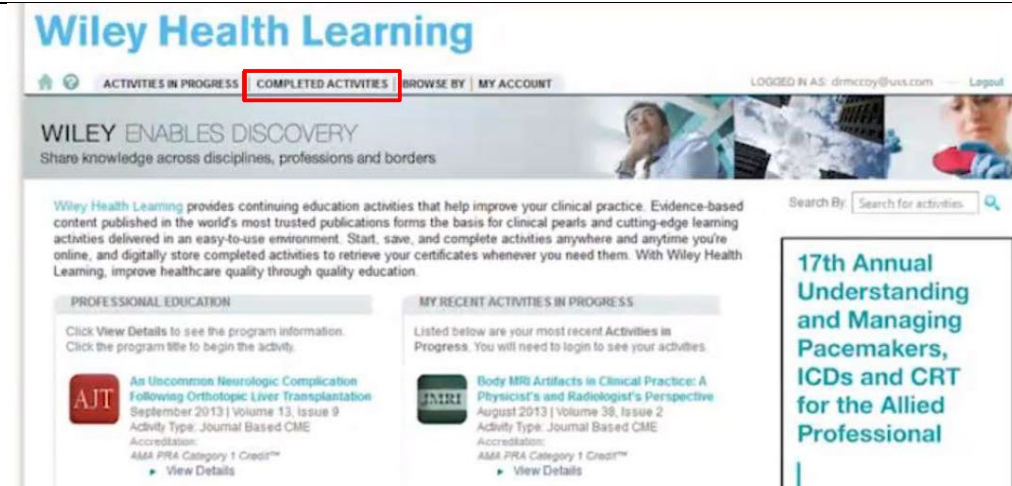
Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

[1.9] recording training status in memory.

John Wiley & Sons performs the step of recording training status in memory.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, Wiley Health Learning Platform records training status in memory such that it tracks user's activities, progress and all information relating to the user's completion of activities and shows a record of it with certification gained by the user.



Source:
<http://link.brightcove.com/services/player/bcpid982198451001?bckey=AQ~~.AAAAkPubcZk~, 5wRjVEP-2Sma1whESEDfKmqjWi9oghp&bctid=3420307328001>, seek to 1:38

Where can I access my certificates for activities I've completed on WHL?

Copies of your certificates for completed activities are accessible under the "Completed Activities" tab. Download your certificate by clicking the thumbnail icon to the right of the activity listing.

Source: <https://www.wileyhealth.com/elearning/WHL-FAQs.pdf>

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

List Of References

1. <https://www.wileyhealthlearning.com/default.aspx>, last accessed on March 24, 2021.
2. <https://www.wileyhealthlearning.com/Activity/6801180/disclaimerspoup.aspx>, last accessed on March 24, 2021.
3. <https://www.wileyhealthlearning.com/login.aspx>, last accessed on March 24, 2021.
4. <http://link.brightcove.com/services/player/bcpid982198451001?bckey=AQ~~.AAAAkPubcZk~, 5wRjVEP-2Sma1whESEDfKmqjWi9oghp&bctid=3420307328001>, last accessed on March 24, 2021.
5. <https://www.wileyhealthlearning.com/registration.aspx>, last accessed on March 24, 2021.
6. <https://www.wileyhealthlearning.com/browse.aspx>, last accessed on March 24, 2021.
7. <https://www.wileyhealth.com/elearning/WHL-FAQs.pdf>, last accessed on March 24, 2021.

These allegations of infringement are preliminary and are therefore subject to change.

10. Wiley has and continues to induce infringement. Wiley has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., payment products and services that facilitate

purchases from a vendor using a bridge computer) such as to cause infringement of one or more of claims 1–18 of the ‘067 patent, literally or under the doctrine of equivalents. Moreover, Wiley has known or should have known of the ‘067 patent and the technology underlying it from at least the date of issuance of the patent.

11. Wiley has and continues to contributorily infringe. Wiley has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., payment products and services that facilitate purchases from a vendor using a bridge computer) and related services such as to cause infringement of one or more of claims 1–18 of the ‘067 patent, literally or under the doctrine of equivalents. Moreover, Wiley has known or should have known of the ‘067 patent and the technology underlying it from at least the date of issuance of the patent.

12. Wiley has caused and will continue to cause RIGGS damage by direct and indirect infringement of (including inducing infringement of) the claims of the ‘067 patent.

IV. JURY DEMAND

RIGGS hereby requests a trial by jury on issues so triable by right.

V. PRAYER FOR RELIEF

WHEREFORE, RIGGS prays for relief as follows:

- a. enter judgment that Defendant has infringed the claims of the ‘067 patent through Wiley payment links;
- b. award RIGGS damages in an amount sufficient to compensate it for Defendant’s infringement of the ‘067 patent in an amount no less than a reasonable royalty or lost profits, together with pre-judgment and post-judgment interest and costs under 35 U.S.C. § 284;

- c. award RIGGS an accounting for acts of infringement not presented at trial and an award by the Court of additional damage for any such acts of infringement;
- d. declare this case to be “exceptional” under 35 U.S.C. § 285 and award RIGGS its attorneys’ fees, expenses, and costs incurred in this action;
- e. declare Defendant’s infringement to be willful and treble the damages, including attorneys’ fees, expenses, and costs incurred in this action and an increase in the damage award pursuant to 35 U.S.C. § 284;
- f. a decree addressing future infringement that either (i) awards a permanent injunction enjoining Defendant and its agents, servants, employees, affiliates, divisions, and subsidiaries, and those in association with Defendant from infringing the claims of the Patents-in-Suit, or (ii) awards damages for future infringement in lieu of an injunction in an amount consistent with the fact that for future infringement the Defendant will be an adjudicated infringer of a valid patent, and trebles that amount in view of the fact that the future infringement will be willful as a matter of law; and
- g. award RIGGS such other and further relief as this Court deems just and proper.

Respectfully submitted,

Ramey & Schwaller, LLP

A handwritten signature in blue ink, appearing to read 'WPR', with a large, loopy flourish underneath.

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